

(I)

## NEW LAWSUIT

C 6 - 2 3 2

Tuesday, April 04, 2006

### WILL PROVE FACTS AT HEARING

UNITED STATES DISTRICT COURT DISTRICT OF DELAWARE

**Plaintiff APPLICATION TO PROCEED WITHOUT PREPAYMENT OF V. FEES AND  
AFFIDAVIT**

**Defendant(s) CASE NUMBER:**

I, Joseph D'Alessandro declare that I am the Petitioner/Plaintiff/Movant Other in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under my First Amendment, I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury.

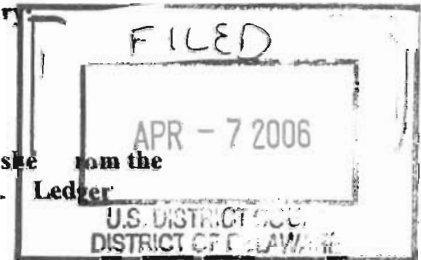
1. Are you currently incarcerated? No

If "YES" state the place of your incarceration

Are you employed at the institution? No

Do you receive any payment from the institution? No

Have the institution fill out the certificate portion of this affidavit and attach a ledger sheet from the institution(s) of your incarceration showing at least the past SIX months' transactions. Ledger sheets are not required for cases filed pursuant to 28:USC §2254.



2. Are you currently employed? No

a. If the answer is "YES" state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "NO" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

3. In the past 12 twelve months have you received any money from any of the following sources?

a. Business, profession or other self-employment No

b. Rent payments, interest or dividends No

c. Pensions, annuities or life insurance payments No

d. Disability or workers compensation payments Yes

e. Gifts or inheritances No

f. Any other sources No

If the answer to any of the above is "YES" describe each source of money and state the amount received AND what you expect you will continue to receive.

Social Security Disability Limited Income

\$1,250.00 per month which is a CREDIT I am BANKRUPT I HAVE NO MONEY

I exercise my U.S. Constitutional Right, my First Amendment Right to redress my Government the federal courts are part of my government. Furthermore the filing of \$150.00 dollars is unconstitutional no where does it states in the U.S. Constitution i have to pay a filing fee to petition my government, this warrants another lawsuit, the federal courts owes me \$2,000.00 dollars, which i need for medical cost which are in the thousands.

4. Do you have any cash or checking or savings accounts? ! Yes

If "Yes" state the total amount \$ ZERO CREDIT BALANCE

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or other valuable property? No

If "Yes" describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support, OR state NONE if applicable.

Tuesday, April 04, 2006

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**"SUBSTANTIVE DUE PROCESS"**

**CIVIL & LEGAL RIGHTS OF THE POOR & DISABLED &  
EVERY CITIZEN AND NON-CITIZEN**

**Annotation**

Do not fear Federal Judges of The Third District they do not have Judicial Immunity when they steal a litigants (Plaintiff and/or defendants civil rights)

Judges as Criminals. TRESPASSERS OF THE LAW.

If a judge does not fully comply with the Constitution, then his orders are void, In re Sawyer, 124 U.S. 200 (1888), he/she is without jurisdiction, and he/she has engaged in an act or acts of treason.

**TREASON**

Whenever a judge acts where he/she does not have jurisdiction to act, the judge is engaged in an act or acts of treason. U.S. v. Will, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406 (1980); Cohens v. Virginia, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed 257 (1821)

**"If you do not know your rights you have no rights"**

**SUBSTANTIVE DUE PROCESS OF LAW**

**You have no rights to take my freedom away.**

**This is what it conveys. The Law Of The Land Federal & State.**

The "why" is substantive due process. Even if an unreasonable law and/or regulations (CFR) are and/or is passed and signed into law legally (procedural due process), substantive due process makes the law unconstitutional.

**Fed.R.Civ.P. 8(f) reads: "All pleadings shall be so construed as to do substantial justice."**

**(II)**

1. My First Amendment Rights supercede CHAPTER 123 FEES AND COSTS  
§Section 1915. Proceedings in forma pauperis

2. As a citizen of the United States I exercise my First Amendment Rights  
**AMENDMENT 1**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

*IS THERE ONE MORAL THING?*

3. The Corrupt Federal Courts and its judges are my Government according to our First Amendment.

I need no money to redress my Government or file any federal Lawsuit.

ARTICLE III, Section 1.

4. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

ARTICLE III, Section 2.

5. (1) The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; to all Cases affecting Ambassadors, other public Ministers and Consuls; to all Cases of admiralty and maritime Jurisdiction; to Controversies to which the United States shall be a Party; to Controversies between two or more States; (between a State and Citizens of another State;) between Citizens of different States; between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof and foreign States, (Citizens or Subjects.)

6. The right of the federal courts to handle "cases arising under this Constitution" is the basis of the Supreme Court's right to declare laws of Congress unconstitutional. This right of "judicial review" was established by Chief Justice John Marshall's historic decision in the case of Marbury v. Madison in 1803.

Do not use this phony excuse to dismiss my claim.

**CHAPTER 123 FEES AND COSTS**

7. Section 1915. Proceedings in forma pauperis

(e)

(1) The court may request an attorney to represent any person unable to afford counsel.

(2) Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that—

(A) the allegation of poverty is untrue; or

(B) the action or appeal—

(i) is frivolous or malicious;

(ii) fails to state a claim on which relief may be granted; or

(iii) seeks monetary relief against a defendant who is immune from such relief.

Tuesday, March 28, 2006

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